



LOUISVILLE & NASHVILLE RAILROAD COMPANY

908 W. BROADWAY • LOUISVILLE, KENTUCKY 40201 • TELEPHONE (502) 587-5235

LAW DEPARTMENT

September 23, 1976

Mr. Robert L. Oswald, Secretary
Interstate Commerce Commission
Washington, D. C. 20423

RECORDATION NO. 6661-H

SEP 27 1976 12 00 PM

INTERSTATE COMMERCE COMMISSION

FEE OPERATION BR.

DAVID M. YEARWOOD
ASST. GENERAL SOLICITOR

SEP 27 12 00 PM '76

Dear Mr. Secretary:

There is transmitted to you herewith for filing and recordation, pursuant to Section 20c of the Interstate Commerce Act, four duly executed counterparts of an Agreement of Partial Release dated as of July 15, 1976 between Florida National Bank and Trust Company at Miami, as Agent, whose address is P. O. Box 470, Miami, Florida 33101 and Trust Company of Georgia, whose address is P. O. Drawer 4418, Atlanta, Georgia 30302.

This Agreement of Partial Release relates to that Reconstruction and Conditional Sale Agreement, dated as of June 1, 1972 among Florida National Bank and Trust Company at Miami, as Agent, Louisville and Nashville Railroad Company, L&N Investment Corporation and Trust Company of Georgia, and that Lease of Railroad Equipment dated as of June 1, 1972 between Trust Company of Georgia, and Louisville and Nashville Railroad Company, which were filed and recorded with the Interstate Commerce Commission on July 25, 1972 and assigned Recordation Nos. 6661 and 6661-B, respectively.

By this Agreement of Partial Release, Florida National Bank and Trust Company at Miami, as Agent, released from the terms and conditions of said Conditional Sale Agreement, and Trust Company of Georgia released from the terms and conditions of said Lease of Railroad Equipment, a 50-ton box car bearing Louisville and Nashville Railroad Company's road number 11107 which has suffered a Casualty Occurrence and for which payment of the Casualty Value has been made.

6-271A673

SEP 27 1976

Date

Fee \$

CC Washington, D. C.

Interstate Commerce Commission
Washington, D.C. 20423

OFFICE OF THE SECRETARY

9/28/76

David M. Yearwood
Louisville & Nashville RR. Co.
908 W. Broadway
Louisville, KY. 40201

Dear Sir:

The enclosed document(s) was recorded pursuant to the
provisions of Section 20(c) of the Interstate Commerce Act,
49 U.S.C. 20(c), on 9/27/76 at 12:05pm
and assigned recordation number(s) 6661-H

Sincerely yours,



Robert L. Oswald
Secretary

Enclosure(s)

SE-30
(5/76)

RECORDATION NO. *6661-H*

SEP 27 1976 2 05 PM

INTERSTATE COMMERCE COMMISSION

AGREEMENT OF PARTIAL RELEASE dated as of July 15, 1976 between FLORIDA NATIONAL BANK AND TRUST COMPANY AT MIAMI, as Agent, and TRUST COMPANY OF GEORGIA.

WITNESSETH:

WHEREAS, by a Reconstruction and Conditional Sale Agreement dated as of June 1, 1972 (hereinafter called the Conditional Sale Agreement) among Florida National Bank and Trust Company at Miami, as Agent (therein and hereinafter called the Vendor), Louisville and Nashville Railroad Company (therein and hereinafter called the Railroad), L&N Investment Corporation (therein and hereinafter called the Builder) and Trust Company of Georgia, the Vendor agreed to sell to Trust Company of Georgia its interest in the railroad equipment described in Schedule A thereto (hereinafter called the Equipment) after it has been reconstructed by the Builder;

WHEREAS, by a Lease of Railroad Equipment dated as of June 1, 1972 (hereinafter called the Lease) between Trust Company of Georgia (therein and hereinafter called the Lessor) and the Railroad, as Lessee, the Lessor leased the Equipment to the Railroad subject to the rights of the Vendor under the Conditional Sale Agreement;

WHEREAS, the Conditional Sale Agreement was filed and recorded with the Interstate Commerce Commission, pursuant to Section 20c of the Interstate Commerce Act, on July 25, 1972 and assigned Recordation No. 6661;

WHEREAS, the Lease was filed and recorded with the Interstate Commerce Commission, pursuant to Section 20c of the Interstate Commerce Act, on July 25, 1972 and assigned Recordation No. 6661-B;

WHEREAS, a 50-ton 40' 6" box car bearing L&N road number 11107 (hereinafter called the Unit), subject to the Conditional Sale Agreement and Lease, has suffered a Casualty Occurrence;

WHEREAS, the Railroad has paid to the Lessor, pursuant to Section 6 of the Lease, the Casualty Value of the Unit;

WHEREAS, the Lessor, as Vendee under the Conditional Sale Agreement, has paid to the Vendor, pursuant to Article 6 of the Conditional Sale Agreement, the Casualty Value of the Unit;

WHEREAS, the Lessor, as Vendee under the Conditional Sale Agreement, is entitled to receive from the Vendor this instrument confirming passage to the Lessor of the Vendor's right, title and interest in the Unit and the release of the Unit from the terms and conditions of the Conditional Sale Agreement; and

WHEREAS, the Railroad, as Lessee under the Lease, is entitled to receive from the Lessor this instrument confirming passage to the Lessee of the Lessor's right, title

and interest in the Unit and the release of the Unit from the terms and conditions of the Lease;

NOW, THEREFORE, in consideration of the mutual promises, covenants and agreements hereinafter set forth, the parties hereto do hereby agree as follows:

The Vendor does hereby bargain, sell, assign, transfer and set over to the Lessor its right, title and interest in the Unit and does hereby release the Unit from the terms and conditions of the Conditional Sale Agreement.

The Lessor does hereby bargain, sell, assign, transfer and set over to the Lessee its right, title and interest in the Unit and does hereby release the Unit from the terms and conditions of the Lease.

This instrument may be executed in two or more counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute but one and the same instrument, which shall be sufficiently evidenced by any such original counterpart.

IN WITNESS WHEREOF, the parties hereto have executed or caused this instrument to be executed as of the date first above written.

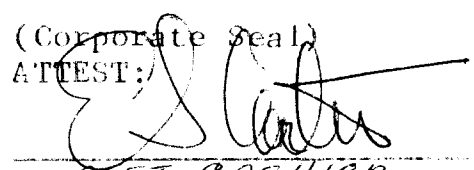
FLORIDA NATIONAL BANK AND TRUST
COMPANY AT MIAMI, as Agent

By


VICE PRESIDENT

(Corporate Seal)

ATTEST:


ASST. CASHIER

STATE OF GEORGIA)
) SS:
COUNTY OF FULTON)

On this 7th day of September, 1976, before me personally appeared Richard H. Smith, to me personally known, who, being by me duly sworn, says that he is Vice President of Trust Company Bank, that one of the seals affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Joyce I. Maslany
Notary Public

My Commission expires

Notary Public, Georgia, State at Large
My Commission Expires Mar. 15, 1977

(Notarial Seal)